

The Honorable James L. Robart

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,
Plaintiff,
v.
URIEL URIAS-GOMEZ,
Defendant.

NO. CR19-0099JLR
PROTECTIVE ORDER

Upon the unopposed motion of the United States, and the Court being advised as to the nature of this case, hereby finds,

FOR THE REASONS stated in the United States' motion, there is a basis to support the United States' concerns, and there is good cause for the requested Discovery Protective Order in order to advance the goals of protecting a confidential source and undercover officers from disclosure of personal information, protecting ongoing investigations, and avoiding the potential for harassment, tampering, or retaliation.

The Court therefore grants the motion and enters the following Protective Order, pursuant to Rule 16(d)(1), Federal Rules of Criminal Procedure:

1. Protected Material

The United States will make available copies of Protected Materials, including those filed under seal, to defense counsel to comply with the government's discovery obligations. Possession of copies of the Protected Materials is limited to the defense attorneys of record,

1 and investigators, paralegals, law clerks, experts and assistants for the defense attorneys of
2 record (hereinafter collectively referred to as members of the defense team). Protected
3 Materials will be marked and labeled as “Protected Material,” including:

- 4 a. Audio, video, photographic, and written recordings of the confidential
5 source (“CS”) and undercover officers (“UCs”) used by law
6 enforcement in investigating this case;
- 7 b. Personal information related to the CS and UCs, including any
8 documents provided by the government containing personal
9 information about or related to the CS or UCs.

10 As used in this Order, the term “personal information” includes a person’s full name,
11 picture or likeness, voice recording, date of birth, Social Security number (or other
12 identification information), driver’s license number, address, telephone number, location
13 of residence or employment, school records, juvenile criminal records, and other
14 confidential information.

15 2. Scope of Review of Protected Material

16 The attorneys of record and members of the defense team may display and review
17 the Protected Material with Defendant. The attorneys of record and members of the
18 defense team agree that providing copies of the Protected Material to Defendant and other
19 persons is prohibited and they will not duplicate or provide copies of Protected Material to
20 Defendant and other persons, absent the government’s express written permission.

21 The United States Attorney’s Office for the Western District of Washington is
22 similarly allowed to display and review the Protected Material with lay witnesses, but is
23 otherwise prohibited from providing copies of the Protected Material to lay witnesses, i.e.
24 non-law enforcement witnesses.

25 3. Consent to Terms of Protective Order

26 Members of the defense team shall provide written consent and acknowledgement
27 that they will each be bound by the terms and conditions of this Protective Order. The
28 written consent need not be disclosed or produced to the United States unless requested by

1 the Assistant United States Attorney and ordered by the Court.

2 4. Parties' Reciprocal Discovery Obligations

3 Nothing in this order should be construed as imposing any discovery obligations on
4 the government or Defendant that are different from those imposed by statute, case law,
5 the Federal Rules of Criminal Procedure, and the Local Criminal Rules.

6 5. Disputes Over Scope of Protective Order

7 If any party believes that material has been improperly designated as Protected,
8 that party may seek a further order of this Court; provided, however, that the party shall
9 not disseminate the disputed Protected Material until the Court has ruled.

10 6. Filing of Protected Material

11 Any Protected Material that is filed with the Court in connection with pre-trial
12 motions, trial, sentencing, or other matter before this Court, shall be filed under seal and
13 shall remain sealed until otherwise ordered by this Court. This does not entitle either party
14 to seal their filings as a matter of course. The parties are required to comply in all respects
15 to the relevant local and federal rules of criminal procedure pertaining to the sealing of
16 court documents.

17 7. Nontermination

18 The provisions of this Order shall not terminate at the conclusion of this prosecution.

19 DATED this 20th day of June, 2019.



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The Honorable James L. Robart
U.S District Court Judge

Presented by:

/s/ Lyndsie R. Schmalz
LYNDSIE R. SCHMALZ
Assistant United States Attorney